

IFW

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/678,224
Filing Date	10/06/2003
First Named Inventor	Guenther Bender
Art Unit	3747
Examiner Name	Erick Solis
Attorney Docket Number	2001P80058WOUS

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☒ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☐ Other Enclosure(s) (please identify below): ☒ Return Post Card
Remarks - General Transmittal Letter; - Response to notice of non-compliant amendment; - Drawings (3 pages); - Return postcard;		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Jacob Eisenberg, c/o Siemens Schweiz, Intellectual Property, IP, I-44, Albisriederstrasse 245, CH-8047 Zürich, Switzerland		
Signature			
Printed name	Jacob Eisenberg		
Date	September 15, 2005	Reg. No.	43,410

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bender *et al.*

Art Unit: 3747

Serial No.: 10/678,224

Examiner: Erick Solis

Filing Date: 10/06/2003

Atty. Docket: 2001P80058WOUS

For: *Throttle Body and Electronic
Module*

Confirmation No.: 1574

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Assistant Commissioner for Patents
United States Patent & Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314 USA

INTRODUCTORY COMMENTS

Sir:

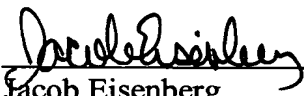
A *Notice of Non-Compliant Amendment* was mailed by the USPTO on August 30, 2005. As the underlying amendment is a non-final amendment, Applicant is given one month from the above date within which to respond. Accordingly, this response is being timely mailed to the USPTO. In the event that the transmittal form is separated from this document and/or the Patent Office determines that an extension of time and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to **Deposit Account No.: 502464** referencing **client reference: 2001P80058WOUS**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Pursuant to the outstanding Notice, it was noted that the drawings filed with the amendment were not labeled as "replacement sheets". Accordingly, Applicants enclose the drawings herein with the aforementioned label. Appropriate consideration of the enclosed drawings is respectfully requested. No new matter has been added.

The USPTO is invited to contact the undersigned for any reason.

Respectfully submitted,

Date: 09/15/2005
SIEMENS SCHWEIZ
Intellectual Property
IP, I-44
Albisriederstrasse 245
CH-8047 Zürich, Switzerland
Tel: +41 (0) 585 583 295
Fax: +41 (0) 585 583 228



Jacob Eisenberg
Attorney for Applicant
Registration No. 43,410
Customer No.: 28,204